



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 219 দিশপুৰ, বুধবাৰ, 23 মাৰ্চ, 2022, 2 চ'ত 1944 (শক)

No. 219 Dispur, Wednesday, 23rd March, 2022, 2nd Chaitra, 1944 (S. E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

HIGHER EDUCATION DEPARTMENT ::: DISPUR, GUWAHATI-6

NOTIFICATION

The 14th March, 2022

No.AHE.254/2021/108.- In exercise of power conferred under the proviso to Article 309 of the Constitution of India the Governor of Assam is pleased to frame the following rules regulating the recruitment and condition of service of persons appointed to the Government Colleges of Assam, namely:-

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| Short title and commencement | 1. (1) These rules may be called the Assam Government College Service Rules, 2022. |
| | (2) They shall come into force on the date of their publication in the Official Gazette. |
| Definitions | 2. In these rules unless the context otherwise requires,- |
| | (a) "Appointing Authority" means Higher Education Department, Government of Assam; |
| | (b) "Constitution " means the Constitution of India; |
| | (c) "Director" means the Director of Higher Education, Assam; |
| | (d) "Departmental Promotion Committee" means a Departmental Promotion Committee constituted under these rules; |

- (e) "Government" means Government of Assam;
- (f) "Government College" means Kokrajhar Government College, Diphu Government College, Haflong Government college, Bishnu Ram Medhi Government Law College and Kishna Kanta Handique Government Sanskrit College;
- (g) "Governing Body" means a body constituted by the Government for management of Administration of the Government Colleges which shall supervise the recruitment process of the respective Colleges;
- (h) "Governor" means the Governor of Assam;
- (i) "Member of the service" means member of the Assam Government College service;
- (j) "Selection Committee" means the Selection Committee Constituted under rule 14 of these rules;
- (k) "Select List" means the Select List under rules 6, 11 and sub-rule (1) of rule 20 under these rules;
- (l) "UGC" means the University Grants Commission, established under the UGC Act, 1956 (Central Act. No.3 of 1956);

Cadre

3. The service shall consists of the following Cadres, namely:-

- (a) Class I:
 - (i) Administrative Post ,—
Principal
- (b) Class II:
 - (ii) Teaching Posts ,—
 - (a) Associate Professor;
 - (b) Assistant Professor;
- (c) Class III:
 - (iii) Non-Teaching Posts,—
 - (a) Librarian;
 - (b) Assistant Librarian.

- Strength of Service
4. The strength of each cadre in respect of each of the post for each of the colleges shall be determined by the Government from time to time. The strength of the cadre of the service on the date of commencement of these rules shall be as shown in Schedule-I:
- Provided that the Governor may hold in abeyance any post as and when considered necessary.
- Method of Recruitment
5. Recruitment to the service shall be made,-
- (a) by Direct Recruitment on the basis of selection in accordance with rule 6:-
- (i) Principal;
- (ii) Assistant Professor;
- (iii) Librarian;
- (iv) Assistant Librarian.
- (b) by Promotion on the basis of selection made in accordance with rule 11 :-
- Associate Professor.
- Procedure of Direct Recruitment
6. (1) Direct Recruitment to the cadre of Principal, Assistant Professor, Librarian and Assistant Librarian shall be made in accordance with the procedure hereinafter provided :-
- (a) Before the end of every year the Governing Body shall make an assessment of the likely number of vacancies to be filled up by Direct Recruitment in the next year in each cadre along with details about reservation for candidates belonging to Scheduled Castes, Scheduled Tribes or any other category as per rule 15 and as laid down by Government from time to time.
- (b) The Governing Body shall request to the Selection Committee to recommend the list of suitable candidate for Direct Recruitment to the vacant posts of the respective colleges.
- (c) The Selection Committee of the respective colleges shall invite applications through advertisement in two leading daily newspapers, one in vernacular language of the State.
- (d) On receipt of applications the Selection Committee shall conduct selection test/ interview for selecting eligible candidates and as per norm prescribed by UGC and prepare a Select List on the basis of merit.

- (e) The Selection Committee shall furnish the Select List of eligible candidates found suitable for Direct Recruitment to the Governing Body.
 - (f) The Governing Body shall forward the Select List to the Director, who shall issue orders of appointment with approval from Government of Assam.
 - (g) In all these cases, the Governing Body shall forward to the Director, who shall issue orders of appointment with the approval from Government.
 - (h) All fresh appointments shall be made on receipt of police verification report.
 - (i) The Appointing Authority shall publish the list at such places as it may consider proper and also publish in the website of the College.
- (2) The inclusion of candidates' name in the Select List shall confer no right of appointment unless the Appointing Authority is satisfied after such enquiry as may be considered necessary that a candidate is suitable for appointment.
- (3) The list mentioned in clause (f), sub-rule (1) shall remain valid for 12 calendar months from the date of publication.

Age

7. A candidate for Direct Recruitment shall not be less than 21 years and more than 39 years of age on the 1st January of the year of recruitment with relaxation in case of candidates belonging to special categories like Scheduled Caste, Scheduled Tribes or any other category as laid down by Government in accordance with the general orders of the Government in force.

Academic
Qualification

8. The academic qualification of a candidate for Direct Recruitment shall be as prescribed by the Government from time to time. The qualification and experience prescribed, as on the date of commencement of these rules shall be as in Schedule-II.

Character

9. A candidate for Direct Recruitment shall produce to the Selection Committee certificates of good character from:-
- (a) the Principal/ Academic Officer of the University, College or Institute in which he studied last; and
 - (b) two respectable persons, who are well acquainted with but not related to the candidate.

Physical fitness

10. A candidate for Direct Recruitment shall be,-

- (1) of sound health, both mentally and physically and free from organic or bodily infirmity likely to interfere with the efficient performance of his duties; and
- (2) required to undergo medical examination before appointment to the service.

General

Procedure for
Promotion

11. (1) The Governing Body shall furnish to Departmental Promotion Committee the following documents and information in respect of the persons to be considered for promotion:-

- (a) The number of vacancies with reservation;
 - (b) List of employees in order of seniority eligible for promotion (separate list for promotion to the different cadres shall be furnished) indicating the cadre to which the case of promotion has to be considered;
 - (c) Character Rolls and other records of the persons listed;
 - (d) Any other documents and information as may be required by the Selection Committees;
 - (e) The number of persons to be considered for promotion shall be four times of the number of vacancies as assessed for filling up by promotion in that cadre which shall be in order of seniority in the Gradation list.
- (2) The Governing Body shall request the Departmental Promotion Committee to recommend the list of employees found suitable for promotion in order of preference within one month in respect of promotion to each of the cadre in which appointment is to be made by promotion.
- (3) The selection shall be made on the basis of seniority cum merit in each case of promotion.
- (4) The Departmental Promotion Committee after examination of the documents and information furnished by the Governing Body shall recommend a Select List of candidates equal to the probable vacancies in order of preference/merit found suitable for promotion.

- (5) The Select List shall remain valid for 12 months.
- (6) The promotion shall be in accordance with the list prepared by the Departmental Promotion Committee.
- (7) The Select List shall be furnished to Government for approval and issue of notification.

Constitution
of Governing Body

12. There shall be a Governing Body to administer the affair of the respective Colleges which shall consist of following members, namely:-
- (i) One President -who shall be an eminent person from the field of Education, to be appointed by the State Government Higher Education Department for a term of 5 (five) years. He shall be a non-political person. He should not have contested any election including Panchayat/ Municipality/ Local Body election or should not be an office bearer of any political party or should not have any affiliation/ Membership to any political party. He shall however continue beyond this period till his successor is appointed. The State Government may however remove him any time during the terms of 5 years for reasoned to be recorded in writing. The upper age limit is 70 years. President of Governing Body of a college who have completed a term of 5 years shall not be considered to be nominated as President of Governing Body for the 2nd continuous term.
 - (ii) One Secretary, the Principal of the college shall be the ex-officio Secretary of the Governing Body:
Provided that if circumstances so demand, the State Government Higher Education Department may nominate the Vice Principal or the senior most member from the teaching staff of the college to act as the secretary in lieu of the principal of the college, for a period of six months, and beyond that period with the State Government's prior approval.
 - (iii) A nominee of Deputy Commissioner of the District not below the rank of Additional Deputy Commissioner.
 - (iv) Two members to be nominated by the affiliating University concerned who shall have a tenure of 3 (three) years but would continue beyond this period till new persons are nominated by the University.

- (v) Two members who are the guardians of the students studying in the college, one of whom shall be a lady. They shall be nominated by the Director, Higher Education and shall have a term of one year or till their ward is a student of the college, whichever is earlier.
- (vi) Two teachers to be elected annually by the teachers from amongst themselves for a period of one year:
Provided that the teachers so elected shall not be eligible for being re-elected for third successive term.
- (vii) One member from the non-teaching staff to be nominated by the Principal annually from the date of constitution of the Governing Body.
- (viii) Joint Director of the Directorate of Higher Education.
- (ix) A person from the field of Education, to be nominated by the District Council/BTR in case of Sixth Schedule Areas and by the Government in case of General Areas.

Constitution of
Selection Committee/
Departmental
Promotion Committee

13. A. Committee for selection of Principal for appointment on Direct Recruitment shall consists of the following members, namely:-
- (i) Vice-Chancellor of affiliating University - Chairman
 - (ii) President of Governing Body - Member
 - (iii) A teacher of University to be nominated
by Vice- Chancellor - Member
 - (iv) An academic person to be nominated by
the State Government - Member
 - (v) Director of Higher Education - Member
- Secretary
- B. Committee for selection of candidates for appointment on Direct Recruitment of Assistant Professor and Librarians shall consists of the following members, namely:-

- (i) President of the Governing Body - Chairman
- (ii) Head of Department (Concerned) - Member
- (iii) Two nominees of the Vice-Chancellor of the affiliating University (out of whom one should be subject expert) - Member
- (iv) Secretary of the Governing Body - Member Secretary
- (v) Two subject experts not connected with the college to be nominated by the President of the Governing Body out of a panel of names approved by the Vice-Chancellor of the affiliating University - Member

C. Committee for selection of candidate for appointment of Direct Recruitment of all other posts shall consist of the following members, namely:-

- (i) President of the Governing Body - Chairman
- (ii) Secretary of the Governing Body - Member Secretary
- (iii) Two heads of Department to be nominated by the Principal of the College - Member

D. Departmental Promotion Committee for all posts shall consists of the following members, namely:-

- (i) President of the Governing Body - Chairman
- (ii) Principal of the College - Member Secretary
- (iii) Three senior most Heads of the Department of the College - Members

Disqualification

14. (1) No person shall be eligible for appointment to the service , -
- (a) unless he is a citizen of India;
 - (b) if he has more than one wife living or in case of female candidate who has married a person who has another wife living :

Provided that the Governor may, if he is satisfied that there are special grounds for doing so, exempt any person from the operation of this clause ;

- (c) if a person violates the legal age of marriage ;
- (d) if he has more than two children living.

- (2) No person who attempts to enlist support for his candidature directly by any recommendation, either written or oral or by any other means shall be appointed to the Service.

Reservation

15. In all cases of appointment by Direct Recruitment as well as by promotion there shall be reservations for candidates belonging to the members of the SC, ST as per provision of the SC, ST (Reservation of Vacancies in Services and Posts) Act, 1978 and rules framed there under. There shall also be reservations for candidates belonging to OBC as per Government instructions. General order in respect of reservation in favour of other categories of candidates like Person with Disabilities as may be in force shall also be followed. Since an individual college is a separate entity for the purposes of cadres, reservations would be applicable college-wise for each individual cadre separately for which a proper register of roster shall be maintained. As Principal is a single cadre post no reservation would be applicable to it. The Governing Body shall be responsible to ensure that reservations are made as per rules.

Probation and Confirmation

16. Subject to availability of a permanent vacancy in the respective cadre a person appointed on Direct Recruitment shall be placed according to seniority on probation against the permanent vacancy for a period of 2 years before he is confirmed to the said post.

Training

17. A person appointed on Direct Recruitment shall be required to undergo such training and pass such departmental examinations as Government may prescribe.

Discipline and Appeal

18. All employees of the Assam Government Colleges shall be governed under the provisions of Assam Services (Discipline and Appeal) Rules, 1964 and guidelines made there under. Government will be the disciplinary as well as appellate authority in disciplinary proceedings.

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| Scale of Pay | 19. All appointment of teaching/Librarian/Assistant Librarian shall be made in the time scale of pay as may be prescribed by the Government from time to time on the basis of recommendation of UGC. The Scale of Pay of the post in the cadres of the Service in the date of commencement of these rules, are as shown in Schedule-II. |
| Seniority | <p>20. (1) Inter-se-seniority of employees belonging to each of the cadres shall be in the order in which their names appear in the Select List prepared by the Selection Committee provided he/she joins in the post within 15 (fifteen) days from the date of receipt of the appointment order or within the extended period not exceeding three months:</p> <p>Provided that if a candidate is prevented from joining within this period by circumstances of public nature or for reasons beyond his control, the Appointing Authority may extend it for a further period of 15 days. If the period is not so extended the seniority shall be determined according to the date of joining;</p> <p>(2) If two persons are appointed on the recommendation of the Selection Committee in different batches, than the person who was recommended in the earlier batch shall be senior to the person who was recommended in the later batch;</p> <p>(3) If two or more persons are bracketed in the merit list by the Selection Committee, the inter-se-seniority of these persons shall be determined according to the date of birth;</p> <p>(4) A person appointed by promotion against a vacancy occurring in a year shall be senior to a person appointed by Direct Recruitment of that year.</p> |
| Gradation List | 21. The College shall publish a gradation list every year cadre wise, indicating the relative seniority and date of birth, date of appointment etc. of each employee. |
| Transfer | 22. There shall not be any transfer of employees from one college to another, except in a situation wherein a stream of study or a subject is closed down in a college by the Government on a proposal from the Governing Body and some teachers have become surplus and in such a situation the Government may transfer these teachers and adjust them elsewhere. In such a situation of seniority of the transferred teachers shall be fixed in the new college on the basis of their date of joining in the original college. |

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| Maintenance of Register and Records | 23. | The College authority shall maintain such registrar and records in suitable form as may be prescribed from Government time to time with a view to recording the service particulars of the employees. The respective colleges shall maintain the service books and other service records and the leave accounts of their employees. |
| GPF and Pension | 24. | <p>(1) Notwithstanding anything contained in these rules, the employee recruited under this rule after 1st February, 2005 shall be governed by New Pension Scheme (NPS).</p> <p>(2) The existing employees recruited prior to 1st day of February, 2005 shall be governed by the old pension rules of the Government.</p> <p>(3) The Director, Higher Education, Assam shall forward a college wise list of employees already retired or due to retire within the next calendar year in the format as prescribed by the government so as to reach the Accountant General by 30th September every year.</p> <p>(4) The College shall process all Pension cases and submit to the Government who shall sanction and authorize provisional Pension/Gratuity on the basis of these rules and the Assam Service (Pension) Rules, 1969 as applicable.</p> |
| Leave | 25. | The Governing Body of the College shall recommend for sanction of all leaves of employees and State Government shall be the sanctioning authority. |
| Lien/Deputation and Study Leave | 26. | Lien, deputation and study leave to the employees of the Government Colleges shall be granted by the Government for which proposals shall be forwarded from the Principal of the respective Colleges to the Director for onward submission to the Government. |
| No Objection Certificate for Higher Studies and applying Jobs | 27. | The Governing Body shall issue No Objection Certificate to the college employees for applying for admission to course of higher studies and for other jobs. |
| Authority for acceptance of resignation/voluntary retirement | 28. | The Director, on the recommendations of the Governing Body shall forward to the Government for acceptance of resignation/voluntary retirement of concerned service holder. |

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| Annual Confidential Report/ Performance Appraisal Report | 29. The Principal of the College shall be the recording officer and the president of Governing Body shall be the Reviewing and Government shall be the Accepting Authority for the Annual Confidential Report/Performance Appraisal Report of all faculty members. In case of Annual Confidential Report/Performance Appraisal Report of the Principal, the President of the Governing Body shall be the recording authority and the Director of Higher Education, Assam shall be the Reviewing and Government will be the Accepting Authority. |
| Residual Power of Appointing Authority | 30. The State Government shall exercise all other powers of the Appointing Authority as per usual norms. |
| Repeal and Savings | 31. All other relevant rules and orders on the subject covered by these rules and in force immediately before the commencement of these rules are hereby repealed: |

Provided that any order made or action taken under the rules so repealed or under the general orders ancillary thereto, shall be deemed to have been made or taken under the corresponding provisions of these rules.

Schedule – I**(See rule 4)**

Name of Cadre	Name of Post	Time Scale of Pay	Academic Level	Number of Posts		
				Permanent	Temporary	Total
Principal	1. Principal of Bishnu Ram Medhi Government Law College 2. Principal of Diphu Government College 3. Principal of Halflong Government College 4. Principal of Kokrajhar Government College 5. Principal of Kishna Kanta Handique Government Sanskrit College	Rs. 144200 – 218000/- + SA Rs. 2000	14	5		5
Associate Professor	Promotional Post.	Rs. 131400 – 217100/-	13A			
Assistant Professor	1. Assistant Professor of Bishnu Ram Medhi Government Law College 2. Assistant Professor of Diphu Government College 3. Assistant Professor of Halflong Government College 4. Assistant Professor of Kokrajhar Government College 5. Assistant Professor of Kishna Kanta Handique Government Sanskrit College	Rs. 57700 – 182400/-	10	242		242
Librarian	1. Librarian of Bishnu Ram Medhi Government Law College 2. Librarian of Diphu Government College 3. Librarian of Kokrajhar Government College 4. Librarian of Kishna Kanta Handique Government Sanskrit College 5. Librarian of Halflong Government College	Rs. 57700 – 182400/-	10	4		4

Assistant Librarian	1. Assistant Librarian of Bishnu Ram Medhi Government Law College 2. Assistant Librarian of Diphu Government College 3. Assistant Librarian of Halflong Government College 4. Assistant Librarian of Kokrajhar Government College 5. Assistant Librarian of Kishna Kanta Handique Government Sanskrit College	Rs. 57700 – 182400/-	10	2		2
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Schedule – II**(See rule 8)**

Qualification and Experience shall be as per UGC guidelines issued time to time

B. KALYAN CHAKRAVARTHY,

Principal Secretary to the Government of Assam,
Education (Higher) Department.